

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CRIMINAL ACTION NO. 5:10-CR-00025-KDB-DCK**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**WILLIAM JAMES MORRISON III,**

**Defendant.**

**ORDER**

**THIS MATTER** is before the Court on Defendant's motion for compassionate release based on the COVID-19 pandemic under 18 U.S.C. § 3582(c)(1)(A) and the First Step Act of 2018. (Doc. No. 100). In support of his motion, Defendant claims that he is 60 years old and suffers from type 2 diabetes, prostate cancer, hepatitis-C, high blood pressure, and a history of heart disease. *Id.* at 3-4.<sup>1</sup>

Section 603(b) of the First Step Act amended Section 3582(c)(1)(A), which previously only allowed a court to reduce a term of imprisonment on motion of the Director of the Bureau of Prisons (BOP). Now a court may entertain a motion filed by a defendant: (1) after full exhaustion of all administrative rights to appeal a failure of the BOP to bring a motion on the inmate's behalf; or (2) after the lapse of 30 days from the receipt of such a request by the warden of the facility, whichever is earlier. Defendant has not indicated, or attached any proof, that he has first sought relief through the warden at his facility. Therefore, this Court is without authority to consider the merits of his claim. *See United States v. Raia*, 954 F.3d 594, 595 (3d. Cir. 2020) (denying motion

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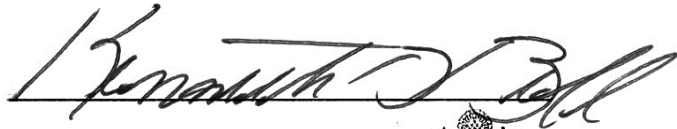
<sup>1</sup> Defendant does not attach any medical records or other documentation to support his assertion that he suffers from these medical conditions.

for compassionate release based on COVID-19 where defendant did not first seek relief from BOP).

**IT IS THEREFORE ORDERED** that Defendant's motion for compassionate release, (Doc. No. 100), is **DENIED** without prejudice.

**SO ORDERED.**

Signed: June 2, 2020

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell  
United States District Judge

